

1 BARRY J. PORTMAN
Federal Public Defender
2 CYNTHIA C. LIE
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4 Telephone: (408) 291-7753
5 Counsel for Defendant MENDOZA-SORIANO

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-07-00503 RMW
11)
Plaintiff,) DEFENDANT'S UNOPPOSED MOTION
12) TO CONTINUE SENTENCING HEARING
vs.)
13)
ARQUIMEDES MENDOZA-SORIANO,) Date: Monday, June 2, 2008
14) Time: 9:00 a.m.
Defendant.) Court: 6 (4th floor)
15)
_____)

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17 TO: UNITED STATES OF AMERICA, PLAINTIFF; JOSEPH P. RUSSONIELLO,
UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF
18 CALIFORNIA; JEFFREY B. SCHENK, ASSISTANT UNITED STATES ATTORNEY;
AND BRIAN CASAI, UNITED STATES PROBATION OFFICER

19 Defendant Arquimedes Mendoza-Soriano, by and through counsel, hereby gives notice
20 that on June 2, 2008 at 9:00 a.m. or as soon thereafter as the matter may be heard, the
21 defense will move to continue the June 2, 2008 sentencing hearing for a period of at least 28 days
22 to await the final determination by the Superior Court of California, County of San Joaquin, as to
23 the merits of Mr. Mendoza's pending habeas petition.

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1 The defendant bases this motion on the attached Declaration of Counsel, the Defendant's
2 Sentencing Memorandum filed January 22, 2008, and on such other evidence as may be
3 produced at the hearing on this motion.

4 Dated: May 30, 2008
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6 Respectfully submitted,
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8 BARRY J. PORTMAN
Federal Public Defender
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10 CYNTHIA C. LIE
Assistant Federal Public Defender
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